

SENATE BILL REPORT

SB 5457

As of February 17, 2019

Title: An act relating to the naming of subcontractors by prime contract bidders on public works contracts.

Brief Description: Naming of subcontractors by prime contract bidders on public works contracts.

Sponsors: Senators Keiser, Saldaña, Conway, Hasegawa, Hunt and Nguyen.

Brief History:

Committee Activity: State Government, Tribal Relations & Elections: 2/20/19, 2/21/19.

<p>Brief Summary of Bill</p> <ul style="list-style-type: none">• Requires bid documents for public works projects over \$1 million include names of all subcontractors.
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SENATE COMMITTEE ON STATE GOVERNMENT, TRIBAL RELATIONS & ELECTIONS

Staff: Melissa Van Gorkom (786-7491)

Background: Public works include all work, construction, alteration, repair, or improvement other than ordinary maintenance, executed at the cost of the state or of any municipality. Most public works construction projects are procured using an architect selected by the public body. The architect develops the plans and specifications that contractors bid on through a competitive bidding process. The contract to perform the work described in the plans and specifications is awarded to a responsible bidder with the lowest responsive bid. Contractors that provide the bid are referred to as the prime contractor and they may subcontract portions of the work to other specialized contractors.

Current state law requires that for projects expected to cost over \$1 million the prime contractor identify certain subcontractors that will perform heating, ventilation and air conditioning; plumbing; and electrical work. If the prime contractor submits more than one subcontractor listed for each category of work, or fails to list subcontractors, then the prime

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contract bidder is considered nonresponsive and their bid is void. This requirement does not apply to requests for proposals for job order contracts.

Summary of Bill: The prime contractor must list all subcontractors on public works construction projects expected to cost over \$1 million, for any work that will be provided by a subcontractor that is required to be registered for that specific work.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.